

A GUIDE FOR CANDIDATES TO ELECTED OFFICE OF THE CITY OF CHICAGO FOR THE 2023 ELECTIONS



Chicago's next Consolidated Municipal Election is February 28, 2023, with any run-offs scheduled for April 4, 2023. Candidates will vie for all 53 City elected offices, plus up to 66 positions on District Council of the Community Commission for Public Safety and Accountability (CCPSA). Chicago's Governmental Ethics Ordinance, Chapter 2-156 of the City's Municipal Code, imposes restrictions on candidates for elected City office, including incumbents seeking re-election. It also limits and prohibits certain political contributions. This guide highlights these restrictions. To the extent it differs from the language of the Ordinance, the Ordinance controls. A complete copy of the Ordinance is available by contacting the Board or here:

https://www.chicago.gov/city/en/depts/ethics/supp_info/governmental_ethicsordinance.html

FINANCIAL DISCLOSURE STATEMENTS

The Ordinance requires every candidate seeking election to City office to file a Statement of **Financial** Interests with the Board of Ethics within 5 days of qualifying as a candidate for elected City office. The forms are filed annually. Forms are available at this link (the Board accepts .pdf statements via email if accompanied by a cover letter signed by the candidate):

https://www.chicago.gov/city/en/depts/ethics/provdrs/statements_of_financialinterests/svcs/sfi.html

There is no fee for filing this form. This filing requirement is **in addition** to any requirement that candidates file a Statement of **Economic** Interests with the Cook County Clerk. But it is the only form that must be filed with the City's Board of Ethics. It must be filed each year in which a person qualifies as a candidate. But filers need file this form only once per year. So, incumbents and certain other City officials or employees who are candidates may already have filed the form. By law, no elected official will be allowed to take the oath of office, continue in office, or receive compensation from the City unless they have filed a Statement of Financial Interests. Persons who violate this requirement are also subject to a public determination that they are in violation of the Ethics Ordinance, and to fines of \$250 per day.

All Statements of Financial Interests filed by incumbents and candidates are publicly available on the Board's website through this page:

https://www.chicago.gov/city/en/depts/ethics/provdrs/statements_of_financialinterests/svcs/sfi.html

CAMPAIGN/POLITICAL CONTRIBUTION LIMITS

Per City law, certain persons or entities may not contribute more than \$1,500 to any candidate for City elected office, or to a City elected official, in a single calendar year. These persons or entities are:

- ✓ Lobbyists registered with the City;
- ✓ Persons doing business* within the preceding four reporting years with, and persons seeking to do business* with the:

City of Chicago; or
Chicago Transit Authority; or
Board of Education; or
Chicago Park District; or
Chicago City Colleges; or
Metropolitan Pier and Exposition Authority.

(Note: as of October 1, 2022, the Chicago Housing Authority and Public Building Commission.)

* These terms have specific meanings in the Ordinance. See §§ 2-156-010 (h), -(x), and -445(a).

Note: an entity and its subsidiaries, parent company or otherwise affiliated companies, and any of their employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity or its affiliates, are considered a single person for purposes of these contribution limitations.

Further note: any contributions made to a candidate's or official's political fundraising committees are considered contributions to the candidate or official.



PROHIBITED CONTRIBUTIONS AND GIFTS

Candidates and their committees may not solicit or accept any anonymous contributions, or contributions given in any name other than that of the true donor.

Candidates, their spouses, domestic partners and minor children may not accept any anonymous gift.

Candidates, their spouses, domestic partners and minor children may not accept contributions based on an understanding, either implicit or explicit, that the candidate's votes, official actions, decisions, or judgments as an elected official of the City government would be influenced thereby.

No person shall make any cash contribution to any candidate in an amount over \$250. By Board opinion, cash includes currency, money orders and cashiers' checks—personal checks are not cash. See Case 97032.A, https://www.chicago.gov/dam/city/depts/ethics/general/AO_CampFinancing/97032.A.pdf

PROHIBITED CONTRIBUTIONS TO THE MAYOR

By Mayoral Executive Order, City employees, appointed officials, lobbyists registered with the Board, or contractors or their owners or owners' spouses or domestic partners, are prohibited from contributing in any amount to the Mayor or her political fundraising committees, Lightfoot for Chicago or Light PAC). See https://www.chicago.gov/content/dam/city/depts/ethics/general/Ordinances/ExecutiveOrders1_6.pdf

WHO IS A "CANDIDATE?"

By City law, a person qualifies as a candidate by:

- ▶ taking the action necessary under the Illinois Election Code to attempt to qualify for nomination for election, election to, or retention in a City office; or
- ▶ receiving contributions, making expenditures or giving consent for any other person to receive contributions or make expenditures with a view to bringing about their nomination for election, election to, or retention in a City office. This means that having a political committee organized and registered to solicit or accept contributions on behalf of a candidate's candidacy for City elected office makes the individual a "candidate," subject to the Ordinance's restrictions.

ADDITIONAL RESTRICTIONS IMPOSED BY STATE LAW

The Illinois Election Code (10 ILCS 5/1-1 et seq.) imposes additional reporting obligations on candidates' committees. It also limits the amounts of political contributions that natural persons, corporations, labor organizations and other political committees may make. For guidance, please consult with a qualified attorney or contact the Illinois State Board of Elections: <http://elections.illinois.gov/>.

Note: even if the State law contributions limits or "caps" are "blown," such as in the Mayor's race, the City's limits still apply to those persons and subject to them.

FUNDRAISING RESTRICTIONS ON CITY EMPLOYEES AND OFFICIALS

City employees may not intentionally perform any prohibited political activity during any compensated time and may not ever use or permit the use of City property, time or resources for political activity.

City employees and officials may not compel, coerce or intimidate any other City officials or employees to make, refrain from making or solicit a political contribution.

Non-elected City employees or officials may not knowingly solicit or accept any political contribution from a person doing business or seeking to do business with the City, except on behalf of their own candidacy for public office.

City employees and officials with contract management authority may not serve on a political fundraising committee.

FOR MORE INFORMATION

<https://www.chicago.gov/city/en/depts/ethics.html>

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